

N.C.P.I.—CRIM 235.17A

[CAUSING] [ENCOURAGING] [AIDING] A MINOR TO [CARRY] [POSSESS] WEAPONS ON EDUCATIONAL PROPERTY. FELONY, MISDEMEANOR.

GENERAL CRIMINAL VOLUME

JUNE 2014

N.C. Gen. Stat. § 14-269.2

235.17A [CAUSING] [ENCOURAGING] [AIDING] A MINOR TO [CARRY] [POSSESS] WEAPONS ON EDUCATIONAL PROPERTY.¹ N.C. Gen. Stat. § 14-269.2(c) and (c1).² CLASS I FELONY, MISDEMEANOR.³

The defendant has been charged with [causing] [encouraging] [aiding] a minor to [carry] [possess] a weapon on educational property.⁴

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt:

First, that the defendant [caused] [encouraged] [aided] a person to [carry]⁵ [possess]⁶ a (*describe weapon*).

Second, that the person was a minor under 18 years of age.

And Third, that the minor [carried] [possessed] that weapon on educational property.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [caused] [encouraged] [aided] a person under 18 years of age to [carry] [possess] a (*describe weapon*), and that the minor [carried] [possessed] that weapon on educational property, it would be your duty to return a verdict of guilty. If you do not so find or

1 See N.C. Gen. Stat. § 14-269.2(a)(1) for a definition of educational property. N.C. Gen. Stat. § 14-269.2(g) explains situations where the statute does not apply. In addition, N.C. Gen. Stat. § 14-269.2(h) provides a statutory defense.

2 N.C. Gen. Stat. § 14-269.2(c) deals with firearms and lists examples, punished as a Class I felony. N.C. Gen. Stat. § 14-269.2(c1) deals with explosives and lists examples, punished as a Class G felony.

3 See N.C. Gen. Stat. § 14-269.2(e) and (f) for a list of weapons and situations which qualify this offense as a misdemeanor.

4 See N.C. Gen. Stat. § 14-269.2(i), (j), and (k) that note exclusions from the statute's coverage.

5 The statute applies whether or not the weapon is concealed.

6 If constructive possession is an issue in the case refer to N.C.P.I.-Crim. 104.41.

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have a reasonable doubt as to one or more of these things, it would be your
duty to return a verdict of not guilty.